

YEAS—27.

Buchanan,	Gooch,	Patton,
Chesley,	Houston,	Peacock,
Collins,	Johnson of Collin,	Perry,
Davis,	Jones,	Pfeuffer,
Evans,	King,	Randolph,
Fleming,	Kleberg,	Shannon,
Getzendaner,	Martin,	Terrell,
Gibbs,	Matlock,	Traylor.

NAYS—none.

House bill No. 24, to be entitled "An act to amend article 1052, title 15, chapter 2, of the Code of Criminal Procedure of the State of Texas," was taken up, read second time and passed to third reading.

Senate bill No. 2, entitled "An act to amend article 3201, chapter 1, title 62, of the Revised Statutes," was taken up and read third time, when, on motion of Senator Fleming, the bill was postponed until Tuesday next, the seventh instant, just after the morning call.

Senate bill No. 5, to be entitled "An act to amend article 186 of the Penal Code of the State of Texas," was taken up and read the third time.

Senator Davis offered the following amendment:

Amend by striking out the proviso in the bill.

Adopted by the following vote:

YEAS—17.

Chesley,	Gibbs,	Patton,
Collins,	Johnson of Collin,	Peacock,
Davis,	Jones,	Perry,
Evans,	King,	Randolph,
Fleming,	Kleberg,	Shannon,
Getzendaner,	Martin,	

NAYS—7.

Buchanan,	Matlock,	Terrell,
Fowler,	Pfeuffer,	Traylor.
Gooch,		

Senator Gooch moved the previous question on the passage of the bill.

Motion seconded and main question ordered.

The Senate refused to pass the bill by the following vote:

YEAS—11.

Chesley,	Jones,	Randolph,
Davis,	King,	Stratton,
Fowler,	Kleberg,	Terrell.
Johnson of Collin,	Patton,	

NAYS—13.

Buchanan,	Gibbs,	Peacock,
Collins,	Gooch,	Perry,
Evans,	Martin,	Pfeuffer,
Fleming,	Matlock,	Traylor.
Getzendaner,		

Senator Terrell, by permission of the Senate, stated that though opposed to all Sunday laws, he voted for this, because he believed it better than the present law on that subject.

The following message was received from the House:

Hon. Marion Martin, President of the Senate:

SIR—I am instructed to inform your honorable body that the House has concurred in Senate amendments to House bill No. 157, withdrawing university, asylum, etc., lands from sale.

Respectfully,

J. W. BOOTH.

Senator Pfeuffer entered a motion to reconsider the vote of the Senate refusing to pass Senate bill No. 5 (the Sunday law).

On motion of Senator Matlock, the Senate adjourned until 10 o'clock a. m. to-morrow.

TWENTY-SECOND DAY.

SENATE CHAMBER,
AUSTIN, February 3, 1883. }

Senate met pursuant to adjournment.

Lieutenant-Governor Martin in the chair.

Roll called. Quorum present.

Prayer by Rev. Dr. Bunting.

On motion of Senator Matlock, the reading of the journal of yesterday was dispensed with, and the same adopted.

On motion of Senator Houston, Senator Collins was excused, on account of sickness.

Senator Stratton, chairman of Committee on Public Health, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, February 3, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Public Health, to whom was referred Senate bill No. 126, entitled "An act amendatory of title 83, and of the supplement thereto, of the Revised Civil Statutes," have carefully examined the same, and a majority instruct me to report the same back with the recommendation that it do pass, with the accompanying amendments.

All of which is respectfully submitted.

STRATTON, Chairman.

COMMITTEE AMENDMENTS.

1. By inserting after the words "regular officer," in line 16 of article 4090i, the words "in charge of regular established quarantine stations on the coast."

2. And in line 12, article 4091, after the word "officer," insert the words "subject to approval of the Governor," and in last line of same article strike out the word "officers" and insert the word "officer."

3. By inserting in line 8 of section 1 of the supplement, after the word "officers," the words "which officers shall appoint," and in line 3 of said section insert before the words "to pay" the words "such county."

Add to supplement three other sections, to be known as sections three, four and five.

Section 3. That the Governor be and he is hereby authorized and empowered to buy a steam tug for service upon the coast of this State, whenever, in his judgment, such tug becomes necessary for the better enforcement of the quarantine laws, rules or regulations. Said tug, when bought, shall be placed in charge of the health officer at Galveston, Texas, who shall have full control of the same, together with all quarantine stores, supplies and apparatus, and responsible for the preservation of the same at all times, except when, by order of the Governor or State Health Officer, said tug is upon service elsewhere upon the coast.

Section 4. The quarantine or health officer at Galveston, Texas, shall give bond with two or more good and sufficient sureties, payable to the Governor, in the sum of ten thousand dollars, conditioned for the care and preservation of said steam tug, and for the faithful performance of his duty.

Section 5. It is hereby made the duty of the Governor and State Health Officer, upon completion of the disinfecting warehouse at Galveston, Texas, to prescribe such rules and regulations as may be necessary for the disinfection or fumigation, or both, of all vessels and their cargoes, and passengers arriving at Galveston from any infected port or district. The object of such rules and regulations being to provide safety for the public health of the State, without unnecessary or arbitrary restrictions upon commerce and travel.

And the repealing section be amended by striking out the number thereof "2," and insert "6."

Read first time.

COMMITTEE ROOM,
AUSTIN, February 3, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Public Health, to whom was referred House joint resolution No. 1, requesting the Senators and Representatives of the State of Texas to urge the establishment of a quarantine station by the national government at St. Louis Island similar to that at Ship Island, have examined the same, and a majority instruct me to report the same back with the recommendation that it do pass.

STRATTON, Chairman.

Bill read first time.

Senator Matlock, chairman of the Committee on Public Lands, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 3, 1883

Hon. Marion Martin, President of the Senate:

Your Committee on Public Lands, to whom was referred Senate bill No. 23, entitled "An act increasing the minimum price of lands belonging to the State or any of its funds to two dollars per acre."

Also, Senate bill No. 59, entitled "An act to provide for the sale of all lands set apart for the benefit of the common school fund, to provide for the investment of the proceeds of the same, and to make an appropriation for carrying into effect the provisions of this bill, and to repeal all laws in conflict therewith."

Also, Senate bill No. 67, entitled "An act making provision for the sale, improvement and settlement of the public lands."

Also, Senate bill No. 124, entitled "An act to provide for the sale and lease of all lands set apart for the benefit of the common school fund, to provide for the investment of the proceeds of the same, and to make an appropriation for carrying into effect the provisions of this bill, and to repeal all laws in conflict therewith."

Also, Senate bill No. 154, an act entitled "An act to provide for the disposition of the lands belonging to the public free school fund," have had the same under consideration, and have carefully examined the same, and instruct me to report the same back with the recommendation that said bills lie on the table, and recommend the accompanying substitute for said bills, so far as the sale of said lands are concerned, and recommend that it do pass.

They further recommend that three hundred copies of the substitute be printed.

All of which is respectfully submitted.

MATLOCK, Chairman.

Read first time.

The President gave notice of the signing of House bill No. 9, "An act amendatory of an act to amend section 11, of an act entitled 'an act to protect the wool growing interest of the State of Texas,' approved March 25, 1879, and of an act amendatory thereof, approved March 9, 1881."

A message was received from the House, announcing the passage of Senate bill No. 17, "An act to repeal an act entitled 'an act granting to persons who have been permanently disabled by wounds received while in the service of this State or of the Confederate States, a land certificate for 1280 acres of land.'"

And Senate bill No. 58, entitled "An act amending article 4000 of the Revised Civil Statutes."

A communication was received from Col. Brewster, Commissioner of Insurance, etc., which was referred to the Committee on Insurance, Statistics and History.

The President gave notice of his signing House bill No. 157, to be entitled "An act to withdraw from sale all the school, university and asylum lands heretofore authorized to be sold by any law of this State."

Senator Martin, chairman of the Committee on Enrolled Bills, submitted the following report:

COMMITTEE ROOM,
AUSTIN, February 3, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 14, being "An act to provide for the payment of certain debts of the State out of that half of the proceeds of the sales of public lands not belonging to the common school fund."

Also, substitute Senate bill No. 108, being "An act to amend title 11, chapter 3, of an act entitled 'an act to adopt and establish the Revised Civil Statutes of the State of Texas,' passed February 21, 1879," and find the same correctly engrossed.

MARTIN, Chairman.

Senator Johnson of Collin, chairman of the Committee on Agricultural Affairs, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, February 1, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Agricultural Affairs, to whom was referred Senate bill No. 186, entitled "An act to protect hog raising in the State of Texas," have carefully examined the same, and instruct me to report the same back with the recommendation that it do pass.

All of which is respectfully submitted.

JOHNSON of Collin, Chairman.

Bill read first time.

COMMITTEE ROOM,
AUSTIN, February 3, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on Agricultural Affairs, to whom was referred Senate bill No. 155, "With regard to the establishment of experiment stations in each State by Congress in connection with agricultural and mechanical colleges," have carefully considered the same, and I am instructed to report a substitute for said bill, and recommend its passage.

All of which is respectfully submitted.

JOHNSON of Collin, Chairman.

Bill read first time.

Senator Fleming introduced a bill to be entitled "An act authorizing the county commissioners' court of the several counties of this State to issue bonds for the erection of court houses and jails, and to levy a tax to pay the same."

Referred to Judiciary Committee No. 1.

Senator Traylor introduced a joint resolution "Amending section 24, article 3, of the Constitution."

Referred to Committee on Constitutional Amendments.

House concurrent resolution No. 7, "Instructing our Senators and Representatives in Congress to vote against any tax on quinine," was taken up, read second time, and passed to third reading.

Senator Terrell, by leave, introduced a bill to be entitled "An act to amend the Penal Code so as to provide for the punishment of those, who, without authority, pull the bell cord of a railway train when the same is in motion."

Referred to Judiciary Committee No. 2, with accompanying papers.

Senator Patton, chairman of Committee on State Affairs, submitted the following reports:

COMMITTEE ROOM,
AUSTIN, February 2, 1883.

Hon. Marion Martin, President of the Senate:

Your Committee on State Affairs have duly examined House joint resolution No. 5, entitled "Joint resolution in regard to the Alamo, Goliad and Fannin's men," which provides for the sending of a joint committee to those places. Your committee think the object of the resolution can be obtained by a correspondence in writing; they therefore offer a substitute for the resolution, which substitute appoints the committee with authority to correspond and report to the Legislature, and they recommend that the resolution so substituted do pass.

All of which is respectfully submitted.

PATTON, Chairman.

House bill No. 24, entitled "An act to amend article 1052, title 15, chapter 2, of the Code of Criminal Procedure of the State of Texas," was taken up, and, on motion of Senator Davis, was postponed until Tuesday next, and made the special order for that day, just after the morning call.

Senator Gibbs, by leave, offered a concurrent resolution with regard to a joint session of Finance Committees, inquiring into the necessity of amending the tax laws in several particulars.

Referred to the Committee on Finance.

A message was received from the House announcing the passage of Senate bill No. 38, entitled "An act to diminish the jurisdiction of the county courts of certain counties, and to conform the jurisdiction of the district courts to such change," with amendments.

And also the following:

AUSTIN, February 3, 1883.

Mr. President:

I am instructed to inform your honorable body that the House has adopted the report of the free conference committee of the two houses, with reference to differences of the two houses on House concurrent resolution, in reference to sending sub committee to visit State schools.

J. W. BOOTH, Chief Clerk.

Senate concurred in House amendments.

House bill No. 8, entitled "An act to restore the jurisdiction of the county courts of the counties of Parker, Uvalde and Red River, and to repeal all laws in conflict therewith," was taken up and read third time.

Senator Gooch offered the following amendment:

Amend the caption by inserting the word "Henderson" after the word "Uvalde."

Amend section 1 by inserting after the following words, line 5, of said section 1, viz: "Uvalde county had," the words "and that all the criminal jurisdiction which the county court of Henderson county had."

And said first section by adding, to-wit, "and as relates to the criminal jurisdiction of the county court of Henderson county, be and the same is hereby repealed."

Amend section 3 as follows:

After the word "Uvalde," in line 3 insert "Henderson."

Amend section 4 by inserting after the words "Red River," in line 4, the words "and all criminal causes now pending in the district court of Henderson county."

Adopted by the following vote:

AYES—21.

Chesley,	Houston,	Perry,
Davis,	Johnson of Collin,	Pfeuffer,
Evans,	Jones,	Randolph,
Fleming,	King,	Shannon,
Fowler,	Kleberg,	Stratton,
Getzendaner,	Martin,	Terrell,
Gooch,	Patton,	Taylor.

NAYS—none.

Bill then passed.

Senator Gooch presented the following report of special committee:

COMMITTEE ROOM,
AUSTIN, February 3, 1883.

Hon. Marion Martin, President of the Senate:

Your committee on free conference have had under consideration the difference between the two houses in respect to House concurrent resolution providing for the appointment of a joint sub-committee to visit the State schools, and, after due consideration of the same, have agreed that the Senate's second amendment be amended to read as follows: Said committee shall consist of one Senator and three Representatives; and we recommend that said amendment, thus amended, be adopted.

J. YOUNG GOOCH, Chairman,	A. T. MCKINNEY, Chairman.
I. W. JONES,	JOHN H. COCHRAN,
J. R. FLEMING,	W. H. ELLIOTT,
of Senate.	of House of Representatives.

On motion of Senator Gooch, the report was adopted.

The President gave notice of signing House bill No. 13, "An act concerning public land heretofore surveyed by railroads or corporations, or any company or person for the benefit of the public free schools of this State."

Senate bill No. 40, "An act to amend article 180, Penal Code," was taken up in regular order, read third time, and passed.

Senate bill 120, "An act to provide for the payment of the expenses of attached witnesses in felony cases," was taken up in regular order.

Senator Randolph offered the following amendment:

Amend section 1 by adding "to be paid in the county in which the case is tried and in which the witness is required to testify."

Senator Getzendaner offered the following substitute for the amendment:

Add after the word "attached," in section 1, line 2, the words "at the instance of the State."

Strike out all, in section 2, after the words "material for the State," in line 10.

Also, strike out all after the words "of the court," in section 3, line 22.

Senator Gibbs offered the following amendment:

Amend by adding to section 3 the following proviso:

"Provided, that the fees herein allowed shall not be paid to more than two witnesses for the State, and the same for defendant, to testify to any one fact."

Senator Matlock moved the previous question on the bill and amendments.

Motion seconded, and main question ordered.

Senator Getzendaner's substitute was lost by the following vote:

YEAS—6.

Evans,	Johnson of Collin,	Kleberg,
Getzendaner,	King,	Pfeuffer.

NAYS—16.

Buchanan,	Martin,	Randolph,
Chesley,	Matlock,	Shannon,
Fleming,	Patton,	Stratton,
Fowler,	Peacock,	Terrell,
Gibbs,	Perry,	Taylor.
Jones,		

Senator Houston was paired with Senator Gooch. He would have voted "aye" and Senator Gooch "no."

Senator Randolph's amendment was lost by the following vote:

YEAS—5.

Gibbs,	Kleberg,	Randolph.
King,	Pfeuffer,	

NAYS—18.

Buchanan,	Getzendaner,	Peacock,
Chesley,	Johnson of Collin,	Perry,
Davis,	Jones,	Shannon,
Evans,	Martin,	Stratton,
Fleming,	Matlock,	Terrell,
Fowler,	Patton,	Taylor.

Senators Houston and Gooch were paired on this amendment. The former would have voted "aye," and the latter "no."

Senator Gibbs' amendment was lost by the following vote:

YEAS—11.

Evans,	Johnson of Collin,	Peacock,
Getzendaner,	King,	Pfeuffer,
Gibbs,	Kleberg,	Randolph.
Houston,	Patton,	

NAYS—13.

Buchanan,	Jones,	Shannon,
Chesley,	Martin,	Stratton,
Davis,	Matlock,	Terrell,
Fleming,	Perry,	Taylor.
Fowler,		

Bill passed by the following vote:

YEAS—14.

Buchanan,	Martin,	Shannon,
Chesley,	Matlock,	Stratton,
Davis,	Patton,	Terrell,
Fleming,	Peacock,	Taylor.
Jones,	Perry,	

NAYS—9.

Evans,	Gibbs,	Kleberg,
Fowler,	Johnson of Collin,	Pfeuffer,
Getzendaner,	King,	Randolph.

Senators Houston and Gooch were paired on the passage of the bill. The former would have voted "no" and the latter "aye."

On motion of Senator Martin, Senate adjourned till Monday morning at 10 o'clock.